

ORIGINAL
LUKAS, MCGOWAN, NACE & GUTIERREZ
CHARTERED
1111 NINETEENTH STREET, N.W.
SUITE 1200
WASHINGTON, D.C. 20036
(202) 857-3500

EX PARTE OR LATE FILED

RUSSELL D. LUKAS
GERALD S. MCGOWAN
DAVID L. NACE
THOMAS GUTIERREZ
ELIZABETH R. SACHS
GEORGE L. LYON, JR.
PAMELA L. GIST
DAVID A. LAFURIA
TERRY J. ROMINE
MARCI E. GREENSTEIN+
MARJORIE GILLER SPIVAK
J. JUSTIN MCCLURE+
MARILYN SUCHECKI MENSE
PAMELA GAARY HOLRAN
B. LYNN F. RATNAVALE

+ NOT ADMITTED IN D.C.

December 2, 1996

RECEIVED

DEC 2 - 1996

FEDERAL COMMUNICATIONS COMMISSION

OFFICE OF SECRETARY
CONSULTING ENGINEERS

THOMAS G. ADCOCK, P.E.
MEHRAN NAZARI
ALI KUZEHKANANI
SHAHRAM HOJATI, D.SC.
LEROY A. ADAM
LEILA REZANAVAZ
FARID SEYEDVOSOGHI

OF COUNSEL
JOHN J. MCAVOY
J.K. HAGE III+

TELECOPIER
(202) 842-4485

Email: lmng@fcclaw.com
<http://www.fcclaw.com>

WRITER'S DIRECT DIAL

(202) 828-9470

William F. Caton, Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re: Notice of Ex Parte Communication
WT Docket No. 96-18
PP Docket No. 93-253

Dear Mr. Caton:

On behalf of Mobile Telecommunication Technologies Corporation ("Mtel"), this notice is submitted in accordance with Section 1.1206(a)(2) of the Commission's rules, with the original and one copy being submitted to the Commission's Secretary.

On November 20, 1996, on behalf of Mtel, the undersigned met with a legal assistant to Commissioner Quello, and made a permissible oral ex parte presentation concerning the above dockets.

At this meeting, the issues set forth in the attached letter were discussed. No additional arguments or issues were presented.

Very truly yours,


Thomas Gutierrez

Enclosure
TG:cms

No. of Copies rec'd 2
List A B C D E

RECEIVED

DEC 2 - 1996

LUKAS, MCGOWAN, NACE & GUTIERREZ

CHARTERED

1111 NINETEENTH STREET, N.W.

SUITE 1200

WASHINGTON, D.C. 20036

(202) 857-3500

RUSSELL D. LUKAS
GERALD S. MCGOWAN
DAVID L. NACE
THOMAS GUTIERREZ
ELIZABETH R. SACHS
GEORGE L. LYON, JR.
PAMELA L. GIST
DAVID A. LAFURIA
JOHN J. MCAVOY
TERRY J. ROMINE
MARCI E. GREENSTEIN+
MARJORIE GILLER SPIVAK
J. JUSTIN McCLURE+
MARILYN I. SUCHECKI
PAMELA GAARY HOLRAN

+ NOT ADMITTED IN D.C.

FEDERAL COMMUNICATIONS COMMISSION

OFFICE OF SECRETARY
CONSULTING ENGINEERS

THOMAS G. ADCOCK, P.E.

MEHRAN NAZARI

ALI KUZEHKANANI

SHAHRAM HOJATI, D.Sc.

LEROY A. ADAM

LEILA REZANAVAZ

FARID SEYEDVOSOGHI

OF COUNSEL

J.K. HAGE III+

TELECOPIER

(202) 842-4485

Email: lmng@fcclaw.com

<http://www.fcclaw.com/lmng>

WRITER'S DIRECT DIAL

(202) 828-9479

April 1, 1996

VIA HAND DELIVERY

Chairman Reed E. Hundt
Federal Communications Commission
1919 M Street, N.W., Room 814
Washington, D.C. 20554

Re: WT Docket No. 96-18
PP Docket No. 93-253

Dear Chairman Hundt:

On behalf of Mobile Telecommunications Technologies Corporation ("Mtel"), we strongly urge the Commission to favorably consider implementing its proposal to designate 931.4375 MHz as a nationwide channel. In its recent Notice of Proposed Rulemaking in the referenced dockets, the Commission noted that Mtel occupies this channel on virtually a nationwide basis and uses it to augment its paging network on its nationwide channel 931.9375 MHz. The Commission sought comment on whether to designate 931.4375 MHz on a nationwide basis and whether it should be excluded from the Commission's geographic licensing proposal.

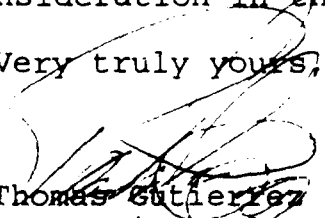
For good and valid reasons the Commission has noted that the nationwide use of this frequency is a special exception and one that should not be a part of geographic licensing. Obviously, it follows that if it should be considered nationwide for geographic licensing then it should be considered nationwide for the purposes of the interim licensing proposals and exempt from the interim application processing freeze. In both the Comments and Reply Comments on the Commission's interim licensing proposals and geographic licensing proposals, Mtel provided details on why it agreed with the Commission's proposed treatment of 931.4375 MHz.

Chief among these details is the fact that Mtel is the only Commission licensee operating on 931.4375 MHz. Secondly, the

Commission has noted Mtel's unique use of this frequency twice in Commission decisions which accorded special operating provisions to Mtel for its nationwide use of 931.4375. In Mobile Telecommunication Technologies Corp., 6 FCC Rcd 1938, recon. 7 FCC Rcd 4061 (1992), the Commission preempted state entry, technical and rate regulation of Mtel's integration of its paging service on 931.4375 MHz into its nationwide paging network and in In re Amendment of Sections 22.505 and 22.506 of the Commission's Rules, 8 FCC Rcd 2796 (1993), the Commission allowed Mtel to operate this frequency at a higher ERP.

Good cause exists for the designation of 931.4375 MHz on a nationwide basis and Mtel supports the Commission's proposals in that regard. Thank you for your consideration in this matter.

Very truly yours,


Thomas Gutierrez
J. Justin McClure

cc: Jackie Chorney, Esq.
Rosalind Allen, Esq.
David Furth, Esq.
WT Docket No. 96-18 File
PP Docket No. 93-253 File